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EXAMINER

TARAE, CATHERINE MICHELLE

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/747,320	<b>Applicant(s)</b> BUDKA ET AL.	
	<b>Examiner</b> C. Michelle Tarae	<b>Art Unit</b> 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The following is a Final Office Action in response to the communication received on January 10, 2006. Claims 1, 8, 15 and 19 have been amended. Claims 1-19 are now pending in this application.

#### ***Response to Amendment***

2. Applicant's amendments to claims 1, 8, 15 and 19 are acknowledged. The amendments are sufficient to overcome the 35 U.S.C. 112, second paragraph rejection set forth in the previous Office Action. Therefore, the 35 U.S.C. 112, second paragraph rejection of claims 1, 8, 15 and 19 is withdrawn.

#### ***Response to Arguments***

3. Applicant's argument with respect to the newly added limitation has been fully considered, but is found unpersuasive. In the Remarks, Applicant argues that Knudson et al. does not teach the task window being read access only to a user who is not a person who is in charge of the project. Examiner respectfully disagrees. In col. 5, lines 23-26 and 59-63, Knudson et al. discloses associating security access levels for users of the system, where the security access dictates users' access to project data. The project owner/manager is disclosed as having the highest security level, and thus, having write access to manipulate the project data such as assigning tasks to users. Col. 6, lines 37-54 and col. 7, line 59-col. 8, line 3, disclose that only authorized users are allowed to access the master project database and affect assigned tasks,

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whereas unauthorized users may only view their task data in their timesheets. Thus, the unauthorized users cannot affect the actual assignment of tasks or any other project data; rather, unauthorized users are only permitted to enter their time for each of their assigned tasks into their timesheets. Not being able to access and affect their assigned tasks gives unauthorized users read only access to their assigned tasks. Entering time into a time sheet is not affecting the task data itself. Therefore, Examiner respectfully submits that Knudson et al. does teach the task window being read access only to a user who is not a person who is in charge of the project.

Accordingly, the rejections over Knudson et al. are maintained and provided below.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (U.S. 5,765,140).

As per claim 1, Knudson et al. discloses a data structure for an automated project tracking system, the data structure residing in a computer readable memory and comprising:

a project window comprising a project identification field formatted to receive and display a project identifier and a project status field formatted to receive and display a project status (col. 2, lines 42-46 and 56-63; col. 4, lines 47-67; Figure 1; The system discloses a project tracking system that incorporates the well known "windows" interface and appearance to view and edit project data such as identification and status information. Projects are tracked and maintained in a database.);

a request window comprising a request identification field formatted to receive and display a request identifier and a request status field formatted to receive and display a request status (col. 5, line 59-col. 6, line 30; Figure 4; Project managers use the project management interface to request to create new projects or view and update data on existing projects, including project tasks, task status and personnel assigned to each task.); and

a task window comprising a task identification field formatted to receive and display a task identifier and a task status field formatted to receive and display a task status (col. 2, lines 57-60; col. 7, lines 1-14; col. 9, lines 48-50; Figure 1; The system discloses a task window in which task identifier and status are displayed to a user.), the task window being read access only to a user who is not a person who is in charge of the project (col. 5, lines 23-26 and 59-63; col. 6, lines 37-40; col. 7, line 59-col. 8, line 3; Each user of the system has an associated security access level that dictates their access to the project data, where the lowest level indicates minimal access (i.e., read only access) and the highest level indicates full administrative access (i.e., full write access).),

wherein one of the request window and task window is displayed within the project window while the project identifier and the project status are displayed within the project window concurrently (col. 2, lines 42-46 and 56-64; col. 4, lines 47-67; col. 6, lines 60-65; Figure 1; The system discloses that each module has its own interface analogous to the windows functionality well known to Microsoft Windows software. The system also discloses the ability for users to view and manage tasks associated with specific, identified projects.). Knudson et al. does not expressly disclose wherein the request and task windows are displayed as overlapped pages within the project window and each of the request and tasks windows is selectable via a page selector within the project window. However, Knudson et al. does disclose that each module has an interface with the typical and well known Microsoft Windows appearance and functionality (col. 4, lines 47-67; col. 6, lines 60-65). It is old and well known that an application having "typical" Microsoft Windows appearance and functionality consists of multiple display windows on the computer screen, the display windows being selectable with a selector such as a mouse pointer and being able to be moved and placed around the computer screen including being able to overlap each other. Thus, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Knudson et al. to have certain project management windows be displayed as overlapped pages and be selectable since such functionality is so old and well known in the art, that it is the type of interface most computer users are accustomed to, therefore, providing a flexible, convenient and easy-to-use interface for users.

As per claim 2, Knudson et al. discloses the data structure of claim 1, wherein the project window further comprises a request list, comprising:

a request identification field formatted to display a request identifier for each of a number of requests for a project and a request status field formatted to display a request status for each of the number of requests for the project (col. 5, line 53-col. 6, line 30; Figure 4; Project managers use the project management interface to request to create new projects or view and update data on existing projects, including project tasks, task status and personnel assigned to each task.).

As per claim 3, Knudson et al. discloses the data structure of claim 1 wherein the request window further comprises a task list, comprising:

a task identification field formatted to display a task identifier for each of a number of tasks for a request for a project and a task status field formatted to display task status for each of the number of tasks for the request for the project (col. 6, lines 4-36; col. 7, lines 1-14; Figure 4; The system discloses a task assignments table, which identifies individual tasks and tracks their status as well as the responsible resource.).

As per claim 4, Knudson et al. discloses the data structure of claim 1 wherein the task window further comprises an invoice list, comprising:

an invoice identification field formatted to display an invoice identifier for each of a number of invoices for a task and an invoice amount field formatted to display an invoiced amount for each of the number of tasks (col. 9, lines 1-4; The system discloses billing and charge back functionalities in the project tracking system.).

As per claim 5, Knudson et al. discloses the data structure of claim 1 wherein the task window further comprises:

a committed amount field formatted to automatically display a cumulative total of amounts committed to a project and an invoiced amount field formatted to automatically display a cumulative total of amounts invoiced to the project and a balance amount field formatted to automatically display a difference between the cumulative total of amounts committed to the project and the cumulative total of amounts invoiced to the project (col. 8, lines 4-40; The system tracks the progress of project tasks so that cumulative labor costs are also tracked.).

As per claim 6, Knudson et al. discloses the data structure of claim 1 wherein the project window further comprises a funding source list, comprising:

a funding source identification field formatted to display a funding source identifier for each of a number of funding sources for a project and a funding amount field formatted to display a funding amount for each of the number of funding sources for the project (col. 8, lines 10-29; The system discloses mapping funding sources to projects, where the funding sources are identified and stored in a database.).

As per claim 7, Knudson et al. discloses the data structure of claim 1 wherein the request window further comprises a request list, comprising:

a request identification field formatted to display a request identifier for each of a number of requests for a project and a request status field formatted to display a request status for each of the number of requests for the project (col. 5, lines 53-58; col.



6, lines 4-30; The system discloses a request window (TES/Plan interface module) through which users request to assign resources to project tasks.).

The limitations of claims 8-12 and 14-19 are substantially similar to those recited in claims 1-7. As such, claims 8-12 and 14-19 are rejected based on the same reasoning applied to claims 1-7 above.

As per claim 13, Knudson et al. does not expressly disclose wherein the visual representation of the project window is in a first color, the visual representation of the request window is in a second color and the visual representation of the task window is in a third color. However, Knudson et al. does disclose utilizing the appearance of typical Microsoft windows (col. 6, lines 55-67). It is old and well known for the windows of Microsoft to be able to be altered in terms of size, color and font. Thus, at the time of the invention, it would have been obvious to a person of ordinary skill in the art for the system of Knudson et al. to utilize the appearance features/functions of its Microsoft windows application so that users can more easily view the different data of the project, thus enhancing the user-friendliness of the project tracking system.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae (formerly, C. Michelle Colon) whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*CMT*  
cmt

March 31, 2006

*Susanne Diaz*  
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